



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

November 20, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

26 November 20, 2012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**DELEGATE AUTHORITY TO ADOPT, ADVERTISE, AND AWARD  
GUARDRAIL, ROADWAY SIGNS, AND STRIPING AND  
PAVEMENT MARKER INSTALLATION  
ON ANGELES FOREST HIGHWAY BETWEEN SIERRA HIGHWAY AND  
ANGELES CREST HIGHWAY  
IN THE ANGELES NATIONAL FOREST AND IN THE UNINCORPORATED  
COMMUNITY OF ACTON  
(SUPERVISORIAL DISTRICT 5)  
(3 VOTES)**

### **SUBJECT**

This action is to approve the project to install guardrail, roadway signs, and striping and pavement markers on Angeles Forest Highway between Sierra Highway and Angeles Crest Highway in the Angeles National Forest and the unincorporated community of Acton; find this project categorically exempt from the provisions of the California Environmental Quality Act; delegate to the Director of Public Works the authority to adopt the plans and specifications, call for bids, and award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid, delegate certain responsibilities to the Director of Public Works or her designee to carry out this project, and authorize the Chief Executive Officer to permit the Director of Public Works or her designee to award and execute a contract for this project if the lowest responsive bid exceeds the estimated cost range and if the Chief Executive Officer finds that additional and appropriate funds have been identified.

### **IT IS RECOMMENDED THAT THE BOARD:**

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.

2. Approve the project and delegate to the Director of Public Works or her designee the authority to adopt the plans and specifications, and advertise for competitive bids for guardrail, roadway signs, and striping and pavement marker installation in the Angeles National Forest and the unincorporated community of Acton at an estimated construction contract cost between \$725,000 and \$1,000,000.
3. Authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance submitted by the contractor, and deliver the project.
4. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.
5. Authorize the Chief Executive Officer to permit the Director of Public Works or her designee to award and execute a contract for this project if the lowest responsive bid exceeds the estimated cost range and if the Chief Executive Officer finds that additional and appropriate funds have been identified.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On October 12, 2010, Item No. 27, the Board accepted grant funding for this project from Caltrans. Subsequently, the Department of Public Works (Public Works) received approval from the United States Forest Service (USFS) to carry out the work that is on the segment of Angeles Forest Highway that is under USFS control.

The purpose of the recommended actions is to carry out accelerated delivery of the installation of guardrails, roadway signs, and striping and pavement marker for Angeles Forest Highway between Sierra Highway and Angeles Crest Highway in the Angeles National Forest and the unincorporated community of Acton.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by accelerating the delivery of this project to benefit the communities.

#### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$725,000 to \$1,000,000. The total project cost is estimated to be \$1,831,000. In addition to the construction

contract cost, the total project cost includes preparation of plans and specifications, consultant services, survey, environmental permit compliance, right-of-way and utility clearance, materials testing, inspection, contract administration, change order contingency, and other County services.

The project will be administered under the Federal Highway Safety Improvement Program covered by Agreement No. 76078 with the State of California. Under this program, Federal funds in the amount of \$900,000 will be used to finance a portion of the project cost. Funding for this project is included in the Fifth Supervisorial District's Road Construction Program in Fiscal Year 2012-13 Road Fund Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Delegating to the Director of Public Works (Director) or her designee the authority to adopt the plans and specifications, advertise for bids, and award and execute a construction contract will allow an accelerated process for delivery of the project. This project will be advertised in accordance with Section 20392 of the State Public Contract Code. The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The authority delegated in Recommendation No. 3 will allow the Director or her designee to award a contract within the project's bid range. In the event that the lowest responsive bid exceeds the bid range, Recommendation No. 5 will allow the project to be awarded if deemed appropriate and in the County's best interest by the Chief Executive Officer. Prior to any out-of-range award, the Director or her designee will notify the Chief Executive Officer and the Fifth Supervisorial District of the intended funding source to finance the cost increase. The Chief Executive Officer will evaluate the funding and decide if the project should be awarded or have the matter brought before the Board for consideration.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State

License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

### **ENVIRONMENTAL DOCUMENTATION**

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of the CEQA guidelines and Class 1, Subsections (x)(7), (x)(14), and (x)(17) of the revised County Environmental Document Reporting Procedures and Guidelines adopted by the Board on November 17, 1987.

These exemptions provide for the posting of regulatory and advisory signs, reconstruction of existing pavement, installation of guardrails, and striping and pavement marker on existing roadway facilities.

### **CONTRACTING PROCESS**

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Director or her designee will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code. The County Local Small Business Enterprise Preference will not be applied to the determination of the lowest responsive and responsible bidder. To be eligible for the Federal Funds financing a portion of this project, Title 49, Code of Federal Regulations, requires award to the lowest bidder.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

When the project is completed, it will have a positive impact by providing improved highway facilities for the traveling public thereby benefiting the community.

### **CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

The Honorable Board of Supervisors

11/20/2012

Page 5

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid, with the first name "Gail" and last name "Farber" clearly legible.

GAIL FARBER

Director

GF:JTS:ss

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office  
Internal Services Department (Countywide  
Contract Compliance)